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29 July 2020

Excellency,

The United Nations Security Council adopted Resolution 2537 (2020) yesterday, regarding the extension of the mandate of the United Nations Force in Cyprus (UNFICYP). The detailed observations of the Turkish Cypriot side regarding this Resolution (See Annex) have already been conveyed verbally and in writing to the Presidency of the Security Council.

Upon instructions from my Government, I would like to underline, once again, the views of the Turkish Cypriot side *vis-à-vis* the issue of consent as well as the modalities of the operations of UNFICYP within the territory of the TRNC. As you are well aware, in line with Resolution 2436 (2018), which is also referred to in the present Resolution, one of the governing principles of UN peacekeeping operations throughout the world is the requirement that the consent of parties to the dispute is sought. In a similar vein, it is also clearly stated in the Brahimi Report, “...that consent of the local parties and impartiality [...] should remain the bedrock principles of peacekeeping.” Thus, UNFICYP can operate on both sides of the Island only on the basis of the consent of both parties. Otherwise, UNFICYP not only puts into question its impartiality, but also “*risks becoming a party to the conflict*”, as stated in the United Nations Peacekeeping Operations Principles and Guidelines. Indeed, principle of consent is also fundamental to the UN Secretary-General’s good offices mission which treats the Turkish Cypriot and Greek Cypriot sides on the Island on an equal footing. Furthermore, since the political processes are directly interlinked with the peacekeeping operations, refraining from seeking the consent of one of the sides in relation to UNFICYP would also constitute a serious shortcoming in this regard. This begs the question as to why the UN is opting to ignore this vital general requisite in the case of UNFICYP.

In view of the above, it should be recalled, as a factual reality, that there are two administrations, two jurisdictions and two territories on the island of Cyprus, and that in North Cyprus, where the Turkish Cypriot side is the sole competent authority, UNFICYP can only operate with the permission of our Government. Hence, Resolution 186 of 4 March 1964, establishing UNFICYP, fails to reflect the factual reality on the ground, namely that there are two separate competent authorities and jurisdictions in North and South Cyprus, separate consents of which UNFICYP needs in order to operate within their territories. As will be recalled, this fact is manifested by the separate and simultaneous referenda held on both sides of the island in April 2004 on the UN comprehensive settlement plan on Cyprus. It is high time that the relevant references in the said Resolution is brought in line with this reality.

**H.E. Mr. Christoph Heusgen**  
**Ambassador Extraordinary and Plenipotentiary**  
**Permanent Representative of Germany to the United Nations**  
**President of the Security Council for the month of July**  
**New York.**

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Moreover, at a time when the Secretary-General in his recent Report (S/2020/685)- approved by the Security Council in its Resolution 2537 (2020)- refers to *"promotion of closer cooperation between communities, local and international actors"* and states that *"concerns about recognition should not in themselves constitute an insurmountable obstacle to increased cooperation"*, the refrainment of the UN to seek the consent of or cooperate with the Turkish Cypriot side in this regard, contradicts the spirit of the Secretary-General's Report as well as the Security Council Resolution.

Needless to say, the consent for the extension of the mandate of UNFICYP sought and obtained prior to the adoption of the Resolution 2537 (2020) from the Greek Cypriot side, which purports to be the long-defunct "Government of Cyprus", only covers the operations of UNFICYP in South Cyprus. In view of this fact, I feel obliged to state that, so far, as a gesture of the good-will of the Turkish Cypriot side and with the permission of our Government, UNFICYP personnel has continued to operate within the territory of the TRNC and we have maintained our cooperation with UNFICYP, while at the same time continuing to request that it works with us to develop the modalities of its operations in North Cyprus. It is unfortunate that, up until now, the UN has been oblivious to our request to take the consent of the Turkish Cypriot side and work with us to develop the modalities of its operations, which is in line with Resolution 2436 and the Brahimi report. Continuation of this indifference on the part of the UN will, unfortunately, sooner or later, leave us with no choice but to reconsider our good will as regards UNFICYP's operations in North Cyprus. We hope and trust that under the able guidance and leadership of the UN Security Council, this vital bedrock principle of consent enshrined in various UN documents will also be respected in the case of Cyprus.

I would be grateful if this letter as well as its annex, enclosed herewith, could be circulated to the members of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

  
Mehmet Dâna  
Representative

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**Turkish Cypriot Views & Considerations on the Extension of the Mandate of UNFICYP  
by the UN Security Council  
(July 2020)**

- **PP7, OP5(c), OP6 & OP7:** Greek Cypriot side has been resisting to engage in direct communication and cooperation with the Turkish Cypriot side for a long time. However, such communication and cooperation, including civilian and policing matters, are necessary for addressing matters of transboundary nature and building trust between the two sides on the island, paving the way to a negotiated settlement. Therefore, a much stronger call should have been made to the sides in PP7 with a view to encouraging the Greek Cypriot side towards this end.

It is also difficult to understand why direct military cooperation has been singled out while civilian, police and other matters have been omitted. Needless to say, direct cooperation and coordination on any issue can only be carried out between the two sides on the island. Thus, the relevant wording in OP6 is factually wrong and misleading.

Turkish Cypriot side is ready for the establishment of cooperation mechanisms on all matters, concerning the two sides, including civilian, economic, military and criminal matters since this is the only way to effectively alleviate tensions and address island-wide matters. However, the emphasis should not be merely on military mechanisms since Cyprus is not a war-zone and thus, war-time mechanisms envisaged for such areas are not suitable for Cyprus. It should also be noted that, like other matters, military matters are also within the competence of the relevant civilian authorities, therefore there should not be any obstacle to the two side's cooperation on the aforementioned matters.

Furthermore, it must be underlined that the only way to prompting such direct communication and cooperation between the two sides is for the international actors, as also called for in the UN Secretary-General's recent reports (in para 66 in the most recent report S/2020/682), to engage with the Turkish Cypriot side in a similar fashion, giving an impetus to the Greek Cypriot side to do so as well. It is difficult to understand why UNSC is abstaining from calling for cooperation between the two sides on issues such as economy, trade, tourism, hydrocarbon resources around the island, the only means to establish a healthy working relationship between the two sides and their peoples. We hope and trust that in the upcoming resolutions, the UNSC will make stronger references to the matter.

**PP9, OP8:** It is unfortunate and unacceptable that there is no reference in the resolution to the arbitrary decision of the Greek Cypriot administration to prevent people arriving to the South from crossing to and from North Cyprus through the crossing points. It is clear that this violation of the right of freedom of movement is solely aimed at harming the Turkish Cypriot economy and tourism particularly at this difficult time of the pandemic. The fact that the Greek Cypriot administration is determined to hamper the Turkish Cypriot economy and tourism is also evident from the decision of the Greek Cypriot leadership not to open Lokmaci (Ledra Street) crossing point, which facilitates entrance of tourists mainly from South to North Cyprus, contributing enormously to the businesses around the area. Hence, a clear call should have been made to the Greek Cypriot administration in the resolution to cease this arbitrary decision immediately, which is poisoning the atmosphere between the two peoples on the island.



- **PP3, OP1:** The wording in the said paragraphs, unfortunately, attempts to put the sides in a “straitjacket” not allowing them to talk about different alternatives for a negotiated settlement on the island, thus not giving them a real chance to overcome the apparent lack of common vision between them. The reality and experience in Cyprus of years of failed negotiations dictate that all alternatives for a negotiated settlement should be discussed so that the sides can agree on a common vision, lack of which is the very reason for the impasse of 52 years in Cyprus.
- **PP4 and OP3:** The wording in these paragraphs are insufficient as they have no effect of diffusing or reducing tension. A pertinent and concrete call for diplomacy and cooperation between the two co-owners of hydrocarbons around the island is required to diffuse and reduce tension. It should be recalled that with a view to diffusing tension and paving the way for cooperation through creating interdependency, the Turkish Cypriot side has made constructive proposals to the Greek Cypriot side in 2011, 2012 and most recently on 13 July 2019. These proposals were unfortunately rejected outright by the Greek Cypriot side. Hence, if UNSC intends to diffuse tension, it should have underlined in the resolution the need for diplomacy and cooperation between the two sides on this issue.

It is again very difficult to grasp why UNSC is refraining from calling for cooperation on the matter whilst this is the only way to diffuse tension and find a just settlement to the hydrocarbons issue.

- **PP11 and OP9:** Cognizant of the fact that the CBMs are vital for bridging trust and establishing cooperation between the two sides in Cyprus, the Turkish Cypriot side has fulfilled all of its responsibilities to implement the CBMs as agreed by the two leaders and is ready for further CBMs.

In this context we concur with the view that there is a need for renewed efforts to implement CBMs in an open-minded and creative manner, including the issue of the natural resources around the island. Needless to say, these resources belong to the Turkish Cypriot side as well, as one of the two equal co-owners of the island.

Unfortunately, the issue of the unjust isolation (grave violation of human rights of Turkish Cypriot people) imposed on the Turkish Cypriot side has been omitted yet again in the present resolution. More than sixteen years have elapsed since the report of the then UN Secretary-General to the Security Council dated 28 May 2004 (S/2004/437), where it was clearly stated that “there exists a rationale for pressuring and isolating the Turkish Cypriots”. The imbalance created by the perpetuation of the isolation exacerbates the deep crisis of confidence between the two peoples on the two sides in Cyprus.

Another important issue which is omitted in the resolution and that undermines all efforts to establish confidence between the two peoples is the racially motivated attacks on two mosques in the South of the island that took place during the reporting period. Such important omissions in the relevant international documents, coupled with the inaction of the Greek Cypriot leadership to prevent such heinous acts and to bring their perpetrators to justice, can only lead to the repetition of such incidents.

**PP10** With a view to supporting the work of the CMP, the Turkish Cypriot side has established an Archive Committee in 2016, which comprises military authorities, police authorities, experts on the Ministry of Health and National Archives as well as other relevant units of the Government, to examine the relevant archives for the information requested by the CMP



regarding the location of missing persons. In this connection, access was given to the Office of the Turkish Cypriot Member of the CMP to check the aerial photos dating 1974. The Turkish Cypriot side has also established an investigation unit under the TRNC Presidency to examine all relevant archives in order to gather information requested by the CMP regarding the potential locations of missing persons, as well as the Missing Persons Unit (MPU) which conducts criminal investigation into the cases of the identified Greek Cypriot missing persons under the supervision of the constitutionally independent TRNC Attorney-General's Office. Furthermore, upon finding evidence on potential burial places, the Turkish Cypriot side accommodates the access of the CMP to any area throughout the TRNC, be it by interrupting the construction of a major road or giving access to those military areas CMP asks for according to its work plan. In this regard, in addition to the access granted to 30 military sites in 2018, access to 30 additional suspected burial sites in military areas in North Cyprus was granted in June 2019, where the excavations are being carried out according to the planning of the CMP. It should be also noted that both the TRNC and Turkey continue to support CMP financially. Yet, none of these contributions and examples of cooperation with the CMP are reflected in the resolution.

- **Op5(b):** While we welcome the call to empower all Technical Committees, the wording overlooks the fact that it is due to lack of political will on the part of the Greek Cypriot leadership which has slowed down, or even unilaterally halted the work of some of these committees. A case in point is the *ad-hoc* Committee on harmonization of the Turkish Cypriot side with EU law, which was established to prepare the Turkish Cypriot side for a future settlement. The work of this Committee has been discontinued by the Greek Cypriot side. Hence, the emphasis on Technical Committees, instead of direct communication and cooperation mechanisms between the sides is not helpful.
- **Op5(e)** The Turkish Republic of Northern Cyprus has revised its schoolbooks in the past, promoting a culture of tolerance and mutual understanding. However, the Greek Cypriot side refuses to remove discriminatory language against the Turkish Cypriot people from its textbooks. The Greek Cypriot administration even has the audacity to attempt every year to send to the Greek Cypriot school in Karpaz, North Cyprus, text books containing racist remarks about Turkish Cypriots. The resolution also falls short of referring to the lack of a Turkish primary school in South Cyprus in spite of the repeated assurances given by the Greek Cypriot side, which were also reflected in previous UNSG reports.

**OP12:** It is unfortunate that the said paragraph fails to refer to the most important violation of the military status quo in the island i.e. the placement by the Greek Cypriot side of 153 (this figure currently stands at around 190) prefabricated concrete firing positions along the buffer zone (see para. 19 of the most recent UNFICYP report). In the interest of objective reporting as well as reducing the tension along the buffer zone, the resolution should have clearly called on the Greek Cypriot side for the immediate removal of these military installations.

In the same paragraph, although there is a reference to unauthorized activities between the cease-fire lines, there is no mention of the Greek Cypriot university in Pile/Pyla, which was constructed and continues to operate without the authorization of UNFICYP. Despite the reference made in the Secretary-General's report to the colossal extension being built at the said university, there is no reference in the resolution to this attempt aimed at creating a fait accompli by changing the status quo in the buffer zone.



- **PP13:** The Turkish Cypriot side takes note of the need to renew regularly all peacekeeping operations including UNFICYP and is of the view that a comprehensive review of UNFICYP, including its mandate, in light of the changing circumstances on the island, is long overdue. It is a reality that UNFICYP's civilian, not its military component, plays a role in liaison and engagement by means of monitoring and reporting on issues concerning the two sides. Therefore, the presence of the military component of UNFICYP is no longer necessary as it does not serve as a deterrent in preventing violence on the Island.
- **OP13:** We believe that this paragraph is unacceptable and unwarranted, as there has been no change on the ground regarding the situation in Maraş (Varosha) and Akýar (Strovilia), which are within the borders of the Turkish Republic of Northern Cyprus.
- **OP14:** There is a call to both sides to agree on a work plan for a mine free Cyprus. This omits the fact that the Turkish Cypriot side has made multiple concrete proposals in 2013, 2015 and 2018 for a mine free island. It is unfortunate that there is no reference in the resolutions to these proposals, which have been turned down by the Greek Cypriot side.
- **PP12 and PP14:** As regards references to the "Government of Cyprus", it should be recalled that the 1960 Republic of Cyprus, established by international agreements of 1959 and 1960, was destroyed by the Greek Cypriot partner. Since then, there has not been a joint administration capable of representing the whole of Cyprus, either legally or factually. Each side has since ruled itself, while the Greek Cypriot side has continued to claim that it is the "Government of Cyprus". The two separate and simultaneous referenda held on 24 April 2004 on the comprehensive settlement plan of the then UN Secretary-General has highlighted, once again, the fact that the island of Cyprus is comprised of two distinct peoples and administrations. Hence, this reference is unacceptable.

It should be recalled that in line with the Brahimi Report (2000), as well as resolution 2436 (2018), the consent and approval of all concerned parties constitute a bedrock principle of all peacekeeping operations and are necessary for their success. This principle undoubtedly applies to the operations of UNFICYP as well, which has to cooperate with two politically equal parties to the dispute in Cyprus. The reference in PP12 only to the agreement of the Greek Cypriot administration regarding the extension of the presence of UNFICYP clearly contradicts the aforementioned principle. In the absence of the consent of both sides in Cyprus, UNFICYP "risks becoming a party to the conflict" as stated in the United Nations Peacekeeping Operations Principles and Guidelines.

The Turkish Cypriot side has repeatedly put on record the need to establish a formal agreement/framework which arranges and defines the relationship between UNFICYP and our authorities. This could be in the form of a Status of Forces Agreement (SOFA), or another mutually acceptable format. Such a step would no doubt challenge the unacceptable status quo.

- **PP12 and PP14:** The reference to the "Government of Cyprus" is sufficient in itself for us to reject the resolution in toto. We would like to remind that UNFICYP could only function in our territory as our guests, in the spirit of goodwill and cooperation, and not on a regulated basis, and in the modalities set by the TRNC Government.

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